

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**COLLAGE DESIGN &  
CONSTRUCTION GROUP, INC.,**

**Plaintiff,**

**v.**

**Case No: 6:21-cv-1572-ACC-EJK**

**RNB CONSTRUCTION, INC. and  
RAZVAN PUHA,**

**Defendants.**

**ORDER**

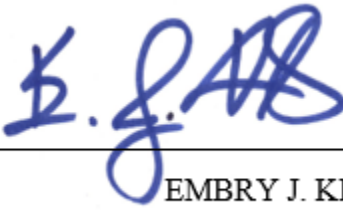
Before the Court is Plaintiff's Motion to Compel Defendants to Appear for Deposition and Respond to Discovery Requests in Aid of Execution (the "Motion"), filed April 19, 2023. (Doc. 38.) Defendants failed to timely respond to the Motion; therefore, the Court will consider it as unopposed. (Doc. 7); Local Rule 3.01(c).

In the Motion, Plaintiff states that on January 10, 2023, it served Defendants a Notice of Deposition Duces Tecum in Aid of Execution. (Doc. 38 ¶ 5.) The Notice required Defendants to appear for a deposition on February 13, 2023, and to produce the documents requested in the Notice. (*Id.*) Defendants both failed to appear at the deposition and failed to produce the requested documents. (Doc. 38 at 3.) Plaintiff requests that the Court order Defendants to appear for a deposition and produce the documents requested on or before May 15, 2023, and to award it attorneys' fees and costs.

Upon consideration of the foregoing, the Motion (Doc. 38) is **GRANTED** as follows:

1. Defendants are **ORDERED** to appear for a deposition on or before May 15, 2023. Defendants must bring the documents requested in the January 10, 2023, Notice of Taking Deposition Duces Tecum in Aid of Execution. **FAILURE TO APPEAR FOR THE DEPOSITION OR TO PRODUCE THE REQUESTED DOCUMENTS MAY RESULT IN SANCTIONS.**
2. Plaintiff is granted its reasonable expenses caused by Defendants' failure to appear, as well as its reasonable expenses incurred in bringing this Motion. Fed. R. Civ. P. 37(d)(3). The parties are directed to meet and confer as to the amount of the expenses, and if they cannot reach agreement, Plaintiff must file a motion requesting its reasonable expenses on or before May 16, 2023.

**DONE** and **ORDERED** in Orlando, Florida on April 25, 2023.

  
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EMBRY J. KIDD  
UNITED STATES MAGISTRATE JUDGE